

# **Statutory Definitions Related to Child Care Licensing & Registration**

## **Chapter 49, 33V.S.A. Section 4902**

### **4902. Definitions**

Unless otherwise specifically provided, the following words and phrases in this chapter mean:

**Child:** a person under the age of eighteen years committed by the juvenile court to the department of social welfare prior to the effective date of this act and to the department of social and rehabilitation services thereafter, except that for the purpose of subchapter 1 of chapter 35 of this title a child is a person under the age of sixteen years.

**Day care facility:** any place operated as a business or service on a regular or continuous basis, whether for compensation or not, whose primary function is protection, care and supervision of children under sixteen years of age outside their homes for periods of less than twenty-four hours a day by a person other than a child's own parent, guardian or relative, but not including a kindergarten approved by the state board of education.

**A family day care home:** is a day care facility which provides for care on a regular basis in the caregiver's own residence for not more than ten children at any one time. Of this number up to six children may be provided care on a full-time basis and the remainder on a part-time basis. For the purpose of this subdivision, care of a child on a part-time basis shall mean care of a school-age child for not more than four hours a day. These limits shall not include children who reside in the residence of the caregiver; except:

a. these part-time school-age children may be cared for on a full-day basis during school closing days, snow days and vacation days which occur during the school year; and

b. during the school year summer vacation, up to 12 children may be cared for provided that at least six of these children are school age and a second staff person is present and on duty when the number of children in attendance exceeds six. These limits shall not include children who are required by law to attend school (age 7 or older) and who reside in the residence of the caregiver.

**Foster care:** care of a child, for a valuable consideration in a child-care institution or in a family other than that of the child's parent, guardian or relative.

**Commissioner:** the commissioner of social and rehabilitation services.

**Department:** the department of social and rehabilitation services.